

**CITY OF PROVIDENCE  
PUBLIC NOTICE  
ZONING BOARD OF REVIEW  
190 DYER STREET  
PROVIDENCE, RHODE ISLAND 02903  
MAY 31, 2005**

**Notice is hereby given that the Zoning Board of Review will meet as an Appellate Board concerning a decision rendered by the Providence Historic District Commission. The Board will hear the following matter in the Probate Court Room, fifth floor, City Hall, 25 Dorrance Street, Providence, Rhode Island, Tuesday, June 14, 2005 at 5:00 p.m.**

**5:00 P.M.**

**APPEAL FROM THE DECISION OF THE PROVIDENCE HISTORIC DISTRICT COMMISSION (PHDC): Owners/Appellants: Fernando S. & Karolye Cunha; Property Location: 177 Brown Street (corner Keene St.), also known as the Tax Assessor's Plat 10, Lot 480 located within the College Hill Historic District and Residential R-1 One-Family Zone. The PHDC denied a request concerning the replacement windows for this existing single-family dwelling. The Appellants contend that the PHDC rendered its decision against the weight of the evidence in the record presented to it, the decision was against the rules and regulations of the PHDC, was arbitrary, capricious and prejudicial,**

and was in violation of Section 45-24.1-8 of the State Enabling Act. This appeal is taken pursuant to Sections 501.12 and 902.2 of the Zoning Ordinance and Section 45-24.1-9 of the Rhode Island State Enabling Act.

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Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall, Tuesday, June 14, 2005, at 5:30 p.m., when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:

**5:30 P.M.**

**PRESTIGE REALTY COMPANY, INC., OWNER AND D & D BARKAN, LLC, APPLICANT:** 116 Broadway (bounded by Carpenter St. & Service Road #7), Lot 81 on the Tax Assessor's Plat 25 located in a C-2 General Commercial Zone and the Broadway Historic District; to be relieved from Sections 406.1, 425.1 and 425.2. The applicant proposes to alter this existing building that previously contained a tire sales business. The proposed use for a portion of the structure would be a restaurant with a drive-thru and the remainder of the building will be used for retail space. The restaurant and retail uses are permitted as-of-right in this commercial C-2 district. The applicant is requesting a special use permit pursuant to Section 303-use code 57.2 for the drive-thru and a dimensional variance relating to regulations governing the quantity of trees and their

location on the site. The lot in question contains approximately 14,100-sq. ft. of land area.

**I.M. INVESTING, LLC, OWNER AND TERENCE KERRIGAN, APPLICANT:**

103-105 & 107 Harriet Street, Lots 590 & 591 on the Tax Assessor's Plat 48 located in a Residential R-3 Three-Family Zone; to be relieved from Section 204.2 in the proposed construction of a 25' x 42' single-family dwelling on lot 590 (107 Harriet St.). The existing two-family dwelling on lot 591 (103-105 Harriet St.) will remain unchanged. Each lot contains 3,200 square feet of land area. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered to be one lot and undivided for the purpose of the Ordinance. In this instance, both lots are substandard in size and are recorded under the same ownership. The applicant is requesting a dimensional variance in order to retain the lots separately and construct a one-family dwelling on lot 590.

**RI STATE PIER PROPERTIES:** 186, 206 & 230 Allens Avenue (corner Public St.), Lots 317, 319 & 489 on the Tax Assessor's Plat 46 located in a W-3 Waterfront Zone; to be relieved from Section 303-use codes 43, 56 & 85 (lots 317 & 319); and Section 303-use code 64.1 (lot 489) in

the proposed expansion of this existing building (lots 317 & 319) through the addition of approximately 2,400 square feet of floor area. The existing structure previously contained a tire sales business. The applicant proposes to develop this building for artist studios (non-residential), an art gallery with ancillary sales, and office space. Lot 489 would be developed as a parking lot to sustain the uses proposed. Relief is requested from regulations governing permitted uses, whereby the proposed uses are not allowed within this W-3 waterfront district, a use variance. Lots 317 & 319 together total approximately 25,000-sq.ft. of land area and lot 489 contains approximately 88,000-sq. ft. of land area.

A. IALONGO BUILDING CO. INC., DI MEGLIO BUILDERS, LLC, AND E.Z.O. PROPERTIES, INC.: 28 Cheshire Street, Lot 674 on the Tax Assessor's Plat 70 in a Residential R-3 Three-Family Zone; to be relieved from Sections 303-use code 14, 304, 704.2(A) and 704.2(C) in the proposed construction of two 28' x 80' buildings, each containing five dwelling units. The applicant is requesting a use variance for the multi-family use within this residential R-3 district, and a dimensional variance relating to regulations governing the front & rear yard-setbacks, and the front & rear yard-paving restrictions for the parking areas. The lot in question contains approximately 20,173-sq. ft. of land area.

DAVID & ELIZABETH KAPLAN: 15 Fisher Street, Lot 294 on the Tax Assessor's

**Plat 6 located in a Residential R-2 Two-Family Zone; to be relieved from Section 304 in the proposed construction of an 87 square foot unenclosed porch addition to this existing single-family dwelling. The porch would be attached to the rear of the dwelling (south side). The applicant is requesting relief from regulations governing maximum lot coverage, a dimensional variance. The lot in question contains approximately 3,200-sq.ft. of land area.**

**7:00 P.M.**

**MICHAEL & JOSEPH RAHEB AS TRUSTEES, OWNER AND LAUNDRY CAPITAL CO., LLC, APPLICANT: 32 Hannah Street, Lot 81 on the Tax Assessor's Plat 63 located in a Residential R-M Multi-Family Zone; to be relieved from Section 64.1 in the proposed development of lot 81 (which currently sits vacant of structures) for a parking lot that would service the existing laundromat located on plat 63, lot 572 across Hannah Street from the subject property at 934-938 Atwells Avenue. The applicant is requesting a use variance, whereby commercial parking lots are not permitted within this residential R-M district. The lot in question contains approximately 3,128-sq. ft. of land area.**

**RAYMOND DUQUETTE: 293-295 Manton Avenue, Lot 597 on the Tax Assessor's Plat 63 located in a Residential R-M Multi-Family and**

**Commercial C-2 Zones; to be relieved from Section 305.1.3 in the proposed construction of a 26' x 38' two-family dwelling. Lot 597 currently sits vacant of structures. The applicant is requesting a dimensional variance, whereby in a commercial C-1 district, dwelling units may be constructed on a lot having no less than 5,000 square feet of land area. The lot in question contains approximately 4,440-sq. ft. of land area.**

**DONNA BARBER, OWNER AND RENAISSANCE INVESTMENTS, LLC, APPLICANT: 25 & 29 Lynch Street, Lots 581 & 582 on the Tax Assessor's Plat 95 located in a Residential R-2 Two-Family Zone; to be relieved from Section 204.2 in the proposed construction of a 26' x 44' single-family dwelling on lot 581 (29 Lynch St). The existing single-family dwelling on lot 582 (25 Lynch St.) will remain unchanged. Each lot contains 3,200 sq. ft. of land area. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered to be one lot and undivided for the purpose of the Ordinance. In this instance, both lots are substandard in size and are recorded under the same ownership. The applicant is requesting a dimensional variance in order to retain the lots separately and construct a one-family dwelling on lot 581.**

**CLEARY SCHOOL, OWNER OF LOTS 271 & 272, ST. JOSEPH'S**

**CHURCH, OWNER OF LOT 270, AND THE FRENCH-AMERICAN SCHOOL OF RHODE ISLAND, APPLICANT & LESSEE: 71-77 John Street & 92 Hope Street, Lots 270, 271 & 272 on the Tax Assessor's Plat 16 located in a Residential R-2 Two-Family Zone; to be relieved from Sections 303 and 304 in the proposed reconfiguration of the existing three lots into two lots. One lot would contain approximately 14,859 square feet of land area upon which the existing school would remain at 71-77 John Street. A second lot would contain approximately 8,815-sq. ft. of land area upon which the existing church rectory would remain at 92 Hope Street. The applicant is requesting a special use permit and a dimensional variance relating to regulations governing minimum lot width & frontage, the side yard setbacks, and the lot coverage restriction. The lots in question contain approximately 23,675-sq. ft. of land area.**

**FRANCIA TORIBIO: 488 Hartford Avenue & 176-178 Alverson Avenue, Lot 83 on the Tax Assessor's Plat 112 located in a Residential R-2 Two-Family Zone; to be relieved from Section 303-use code 56 in the proposed change in the use of the first floor from a photo studio to a restaurant, take-out only. This existing structure also contains two dwelling units, which will remain unchanged. The applicant is requesting a use variance and seeks relief from regulations**

**governing permitted uses, whereby a restaurant is not an allowed use within this R-2 two-family district. The lot in question contains approximately 7,645-sq.ft. of land area.**

**LENG THOEUNG: 79 Union Avenue (corner Ellery Street), Lot 479 on the Tax Assessor's Plat 37 in a Residential R-3 Three-Family Zone; to be relieved from Sections 201.7 and 303-use code 56. Currently, the existing building located at 79 Union Avenue contains one video store on the first floor and two dwelling units above. The applicant is requesting a use variance to divide the first floor into two retail spaces: one space for the video store and one space for a new pizza restaurant, take-out only. No changes are proposed for the existing four-family dwelling also located on the subject property at 120-122 Ellery Street. The lot in question contains approximately 5,625-sq. ft. of land area.**

**SWAP, INC.: 467 Pine Street, Lot 750 on the Tax Assessor's Plat 23 located in a Residential R-3 Three-Family Zone; to be relieved from Section 303-use code 64.1 in the proposed development of lot 750 (which currently sits vacant of structures) as a parking lot that would sustain the parking needs of 459-465 Pine St., plat 23, lot 38 also known as 44 Somerset St. The applicant is requesting a use variance for the commercial parking lot in this residential R-3 district. The lot in question contains approximately 3,260-sq. ft. of land area.**

**THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME**

**TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.**

**THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT 401-421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.**

**ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRECTION DE LA JUNTA DE REVISIONES DE ZONA.**

**LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.**

**PETER D. CARNEVALE, SECRETARY**

**(401) 421-7740 EXT. 376**